

United States District Court

SOUTHERN

DISTRICT OF

TEXAS

FILED

July 29, 2021

McALLEN DIVISION

Nathan Ochsner, Clerk of Court

UNITED STATES OF AMERICA

V.

CRIMINAL COMPLAINT

Roosevelt Vela

United States

Case Number:

YOB: 1968

M-21-1640-M

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about July 29, 2021 in Starr County, in the Southern District of Texas defendants(s) did,

(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Rony Guillermo Najera-Mejia, a citizen and national of Guatemala and Josue Johanathan Cortes-Moreno, a citizen and nationals of Honduras, along with four (4) other undocumented aliens for a total of six (6), who had entered the United States in violation of law, did knowingly transport, or move, or attempted to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near Rio Grande City, Texas to the point of arrest near Rio Grande City, Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONY

I further state that I am a(n) U.S. Border Patrol Agent and that this complaint is based on the following facts:

On July 29, 2021, at approximately 1:00 a.m., a Border Patrol Agent operating the Aerostat camera relayed information to Agents regarding a group of suspected undocumented immigrants were seen walking away from the Rio Grande River. The camera operator saw the group walking in the open fields towards a community in Rio Grande City, Texas. About thirty (30) minutes later, a Agent saw a pickup truck travelling northbound from the last location the group of subjects were seen. The Agent noticed a large heat signature coming from the bed of the truck, indicating there may be people in the bed of the truck. Once the pickup truck passed the Agent's location, he began to follow the pickup truck. Moments later, the Agent initiated his emergency equipment to perform an immigration inspection on the pickup truck's passengers, and to verify that the heat signature was not undocumented immigrants.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Complaint authorized by AUSA Matthew Phelps

/s/ Jose E. Diaz

Submitted by reliable electronic means, sworn to and attested telephonically per Fed. R. Cr.P.4.1, and probable cause found on:

Signature of Complainant

Jose E. Diaz Border Patrol Agent

Printed Name of Complainant

July 29, 2021 at 2:41 p.m.

Date

at McAllen, Texas  
City and State

J. Scott Hacker, U. S. Magistrate Judge  
Name and Title of Judicial Officer

Signature of Judicial Officer

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
McALLEN, TEXAS**

**ATTACHMENT TO CRIMINAL COMPLAINT:**

**M-21-1640-M**

**RE:      Roosevelt Vela**

**CONTINUATION:**

The driver of the vehicle stopped at a fast food parking lot in Rio Grande City, Texas. The driver of the vehicle was later identified as Roosevelt Vela, a United States citizen. The Agent noticed four (4) subjects laying down in the bed of the truck. Another two (2) subjects were seen sitting down on the floorboard of the passenger seat. The six (6) subjects in the pickup truck admitted to be illegally present in the United States. All subjects were transported to the Rio Grande City Border Patrol station for case processing.

**PRINCIPAL STATEMENT:**

Roosevelt Vela was read his Miranda rights. He understood but declined to provide a sworn statement.

**MATERIAL WITNESS 1 STATEMENT:**

Rony Guillermo Najera-Mejia, a citizen and national of Guatemala, was advised of his Miranda Rights, stated he understood his Rights, and agreed to provide a sworn statement.

Najera claimed his uncle helped make his smuggling arrangements and was charged 80,000 Guatemalan Quetzals to be smuggled into the United States. Najera crossed the Rio Grande River on a raft with eight (8) other people and was advised a white vehicle was going to transport them to McAllen, Texas. Najera indicated that a white truck arrived and six (6) of them boarded the truck. Najera explained that he and one (1) other person entered the cab of the white truck, while four (4) others entered the bed of the truck. Najera added that the driver instructed them to get down because there was a lot of immigration around.

Najera identified, Roosevelt Vela, through a photo lineup, as the person who was driving fast.

**MATERIAL WITNESS 2 STATEMENT:**

Josue Johanatan Cortes-Moreno, a Honduran citizen, was advised of his Miranda Rights, stated he understood his rights, and agreed to make a statement.

Cortes stated his friend agreed to pay \$9,000 to help Cortes to be smuggled into the United States. Cortes stated he crossed the river illegally with a group of people. Cortes claimed that they were being guided via a cellular phone through the brush to a location where they were going to be picked up. Cortes said that once at the pick up location, a white vehicle arrived and the driver asked them if they were the ones waiting to be picked up, they replied yes, and boarded the vehicle. Cortes stated moments later they were stopped by Border Patrol.

Cortez positively identified Roosevelt Vela, through a photo line-up, as the person who picked him up.